CLCON NO. 67 OF 2003

Hon'ble Irshad Hussain, J.

Heard Sri Ram Ji Srivastava learned counsel for the petitioner and Sri B.D. Upadhyaya learned counsel for the respondent. Perused the counter affidavit. Learned counsel for the respondent made a statement that the arrears of assessed Tax amounting of Rs. 1,55,687/- shown in the demand notice Annexure-5 to the petitioner is not being recovered at present, in view of the writ petition being pending disposal against the judgment of the C.J.M. dated 19.5.94. The dispute is that according to the petitioner the amount of Tax assessable U/S 140 (1) A of the Municipalities Act had already been paid by him, whereas the respondent denied. However the recovery is not yet being initiated. The question of contempt of the order of the C.J.M. does not arise and the petition in view of the statement made by the learned counsel for the respondent is dismissed. As such the notice is discharged.

Dt. 05.08.03
ISB

(Irshad Hussain, J.)